

NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

NOTICE OF PUBLIC INFORMATION

DEPARTMENT OF ENVIRONMENTAL QUALITY AND DEPARTMENT OF AGRICULTURE

[M14-41]

1. **Name of the Agency:** Department of Environmental Quality and Department of Agriculture
Title and its heading: Arizona Revised Statutes, Title 3, Chapter 2, Article 5
Arizona Revised Statutes, Title 49, Chapter 2, Article 6
Section 18 (Emergency Exemption) of the Federal Insecticide,
Fungicide, and Rodenticide Act, as amended (7 U.S.C. 136–136y)

2. **The public information relating to the listed statute:**

The Arizona Department of Agriculture (ADA) has submitted a request to the United States Environmental Protection Agency (EPA) for approval of an emergency exemption for the use of Topguard fungicide EPA Registration #67760-75 (active ingredient: futriafol) on cotton for the control of root rot caused by the fungus *Phyrmatotrichum ornnivorum*. This application is submitted under Section 18 of FIFRA with corresponding rules found in 40 CFR Part 166. This request is for a specific exemption that allows the use of a pesticide on a crop, not currently listed on the Section 3 federal label, due to a unique pest problem. EPA evaluates the request against specific criteria established in the Code of Federal Regulations (CFR).

ADA consulted with the Arizona Department of Environmental Quality regarding the potential of the pesticide to impact groundwater. Due to the unique pest problem being addressed and the likelihood of the pesticide to impact groundwater if used extensively, the use season for this product will be limited to March 15 through June 15, 2014. Application of this product requires a special permit from the ADA and all applications be reported to the ADA. The product would only be sold to those who obtain the special permit and could only be purchased after the approval from EPA. The product would only be sold up to June 15, 2014.

3. **The name and address of agency personnel to whom questions and comments on the Section 18 Emergency Exemption may communicate:**

Name: David M. Haag, Pesticide Program Coordinator
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Telephone: (602) 771-4669 (in Arizona: 1-800-234-5677; 771-4669)
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and

Name: Jack Peterson, Interim Director
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